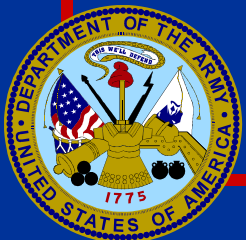


# Ethics Training



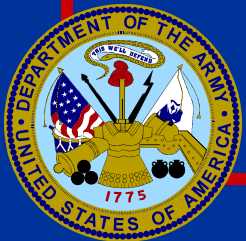
## ONLINE USERS:

1. "Right click" on the slide, choose "Full Screen" from menu
2. "Right click" on the slide again, select "Screen," then select "speaker notes" from the drop-down list.



# Required Training

- **Must Sign-In!**
- **100%**



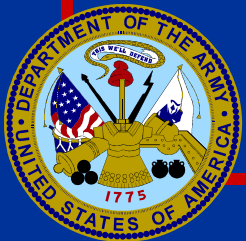
# Required Training

- **But not for Contractors**
- **You can go back to your offices now.**



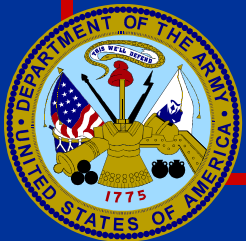
# Agenda

- **Ethics Counselors**
- **Why?**
- **Overview of the 14 Principles of Ethical Conduct**
- **Other Important Items**
- **Questions/conclusion**



# Ethics Counselors

- **OSJA, HQ, TRADOC (Bldg 10)**  
**(x2302)**
  - COL Donald G. Curry
  - LTC Cheryl Lewis
  - LTC Melinda Comfort
  - CPT Mindy Ecenrode
  - CPT Darius Davenport
  - CPT LaShonda Ellis-Ramsey



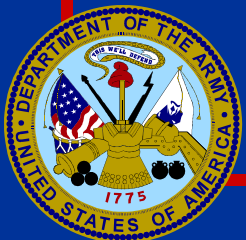
# Ethics Counselors

- **GARRISON / IMA (Bldg 77)**  
(x3616)
  - MAJ Thomas Barrett
  - CPT Eric Hanson
- **NERO (Bldg 10) (x2302)**
  - Mr. Anthony Cochet



# Ethics Counselors

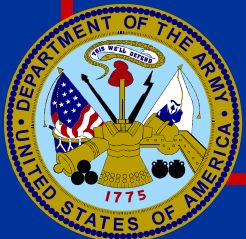
- **Futures (Bldg 133) (x5589)**
  - MAJ Matthew Miller
- **Cadet CMD (Bldg 10) (x2815)**
  - LTC Kary Reed
  - Ms. Myrna Mesa
  - Mr. Charles Meade



# Why Are You Here?

**“Integrity is non-negotiable. Everyone has leadership responsibilities when it comes to the Legal, Moral, and Ethical. Discipline is doing what’s right when no one is watching. We are proud of you and our Army. Drive on!”**

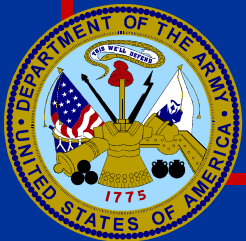
**- from email sent by Acting SA Brownlee and  
GEN Schoomaker in May 04**





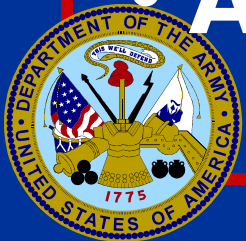
# Why Ethics Training?

- Ethics laws, principles, and regulations apply to ALL employees and Soldiers
  - Regardless of rank, position, job, duties, etc.



# Why Ethics Training?

- Assist you with understanding why the rules exist and how they apply
- Give you a chance to ask questions
- **ACTUAL V. APPEARANCE**



# Why Ethics Training?

- **Reinforce ARMY VALUES**
  - **Loyalty**
  - **Duty**
  - **Respect**
  - **Selfless-Service**
  - **Honor**
  - **Integrity**
  - **Personal Courage**



# Soldier's Creed

I am an American Soldier.

I am a Warrior and a member of a team. I serve the people of the United States and live the Army Values.

I will always place the mission first.

I will never accept defeat.

I will never quit.

I will never leave a fallen comrade.

I am disciplined, physically and mentally tough, trained and proficient in my warrior tasks and drills. I always maintain my arms, my equipment and myself.

I am an expert and I am a professional.

I stand ready to deploy, engage, and destroy the enemies of the United States of America in close combat.

I am a guardian of freedom and the American way of life.

I am an American Soldier.



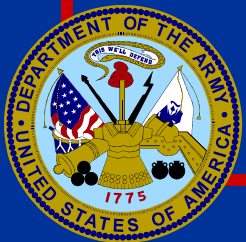
# Warrior Ethos

I will always place the  
mission first.

I will never accept defeat.

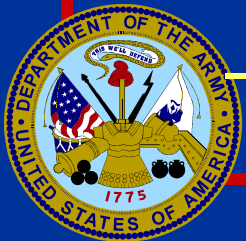
I will never quit.

I will never leave a fallen  
comrade.



# Where Does Ethics Training Start?

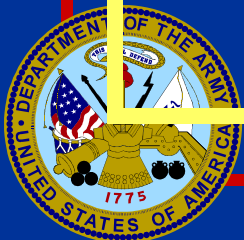
- Begin with the basics -- the tools needed to comply with all ethics rules and regulations
- The 14 Principles of Ethical Conduct
  - They form the box
- **THINK INSIDE THE BOX!**



# **The Principles of Ethical Conduct**

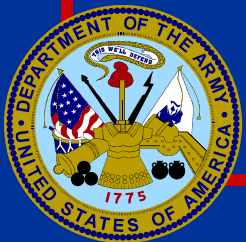
## **5 CFR § 2635.101(b)**

- 1. Public Service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.**



# Oath of Office “Defending the Constitution”

- Officers and Army Civilians
  - “I do solemnly swear/affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office which I am about to enter.”

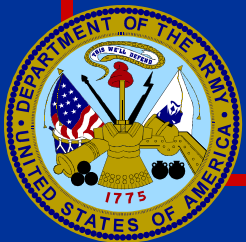




# Oath of Office

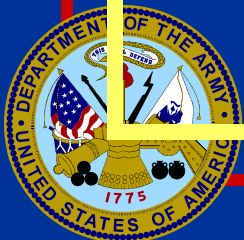
## “Defending the Constitution”

- Enlisted
  - “I do solemnly swear/affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.”



# **The Principles of Ethical Conduct**

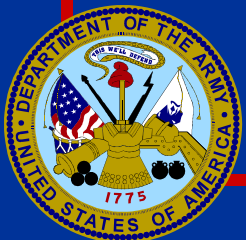
- 2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.**
- 3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.**



# Conflicts of Interest

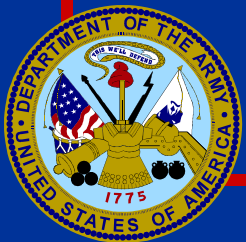


- **Participation in official matters**
  - procurement actions
- **Outside financial interests of self / spouse / child**
- **Actual vs. Appearance**
- **Disqualification**
  - Ethics Counselor



# Non-Public Information

- Procurement Integrity
- Classified Information
- Privacy Act
- Trade Secrets Act



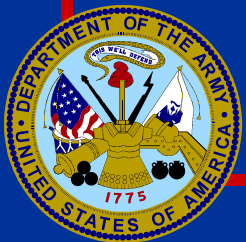
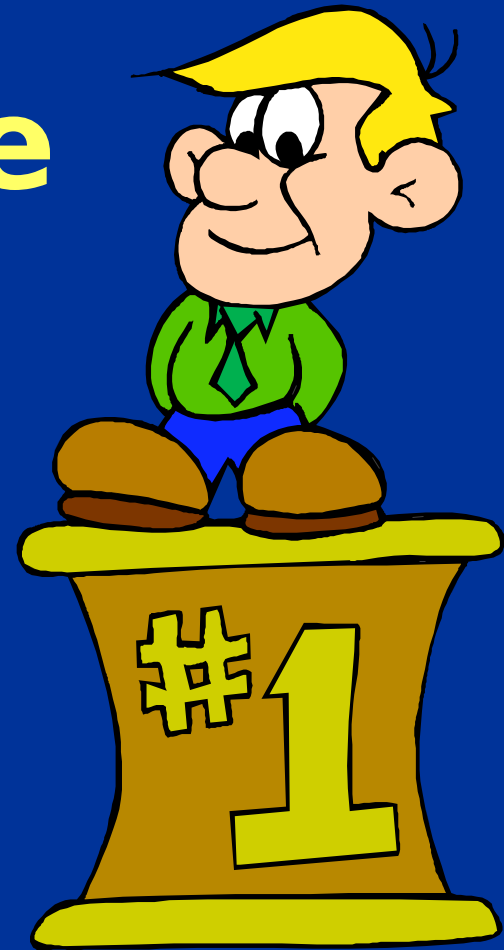
# The Principles of Ethical Conduct

4. An employee shall not, except as permitted by law or regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.



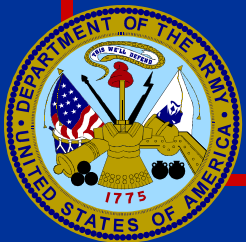
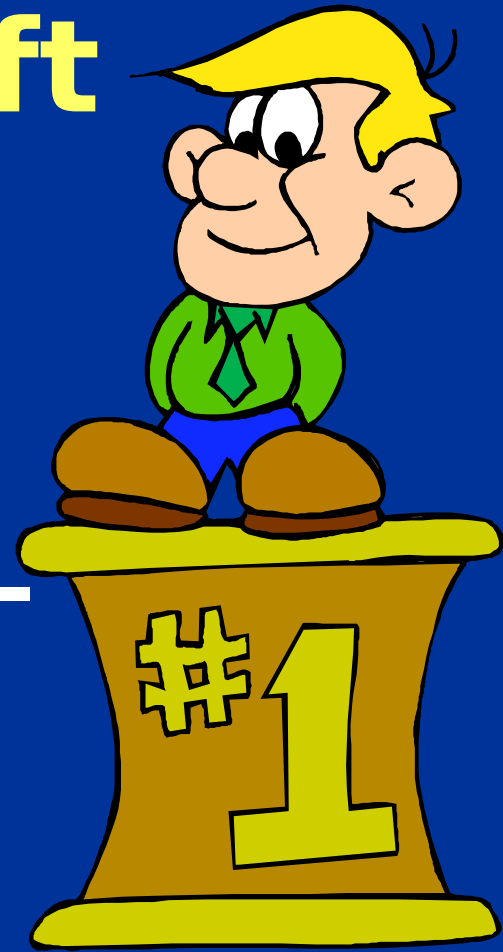
# The #1 Gift Rule

Government Never  
Solicits Gifts!



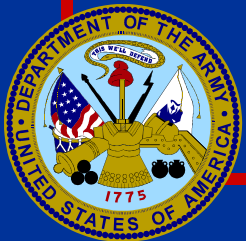
# The Other #1 Gift Rule

Nothing requires a person to accept a gift - you may ALWAYS decline!



# What is a Gift?

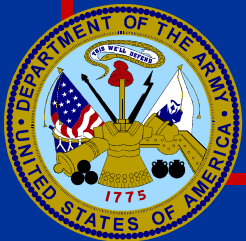
- **Gift**
  - any item of monetary value
- **“non-gifts”**
  - little intrinsic value intended solely for presentation
  - coffee and donuts
  - discounts or offers made to class/group





# Accepting the Gift?

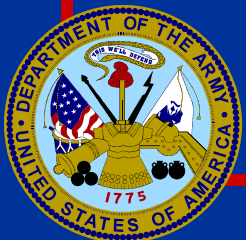
- Start with NO
  - then apply rules to see if you can find a “yes”



# Rules

## CANNOT ACCEPT if ...

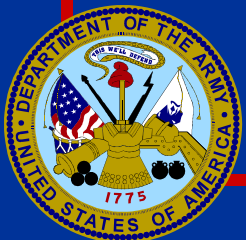
- It is from a prohibited source and no exception applies, or
- It is given to you because of your official position



# Who or What is a Prohibited Source?



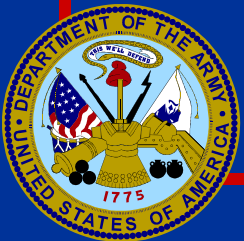
- Looking for official action from the Army
- Does business or seeks to do business with Army
- Conducts activities that Army regulates
- Org. whose interests may be substantially affected by Army



# Prohibited Sources

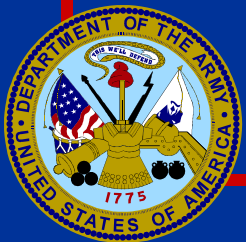


- Professional associations
- Non-profit organizations
- Educational institutions
- State and Local governments/agencies
- Defense contractors
  - contractor personnel



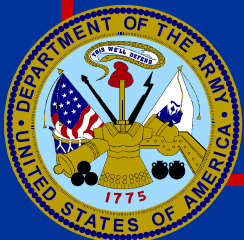
# Gifts from Contractor Personnel

- **Contractor Employees are Prohibited Sources**
  - General rule – no gifts solicited or accepted
  - No solicitation for retirement or other gift from Government employee or Soldier



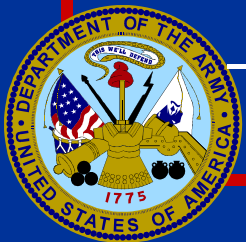
# Exceptions to the Rule

- Market value  $\leq$  \$20, but no more than  $<$  \$50 per source per calendar year
- Gift to group or class of employees or Soldiers
  - based on other than official position/rank
- Award for service achievement
  - established program
- Permitted by statute
  - gifts from foreign governments



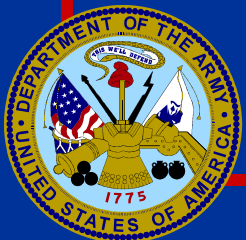
# Official Position

- **Official position or personal capacity**
  - sometimes the line becomes blurred
- **Official position**
  - gift rules apply
- **Personal capacity**
  - exercise caution
  - appearance concern



# What do I do if Gift is Offered?

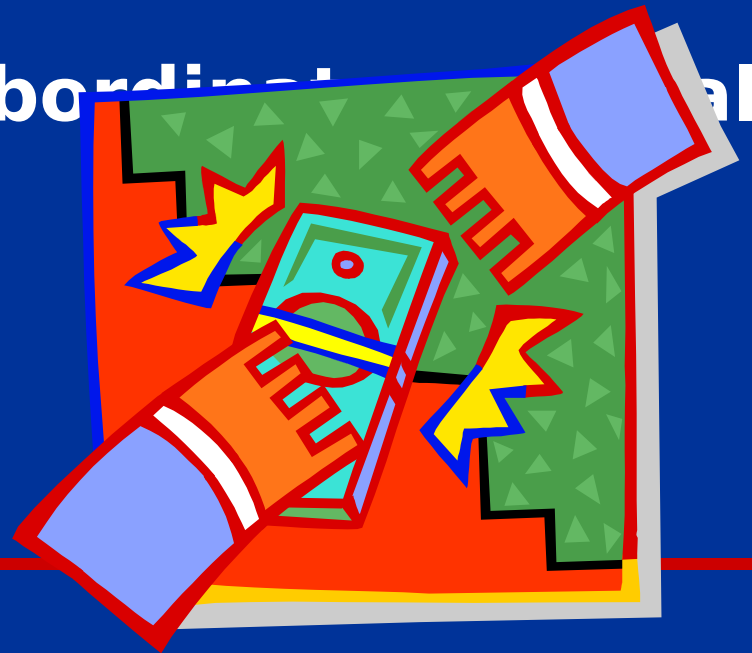
- **Decline!**
  - Remember the Other #1 Rule
- **If situation is such that are unable to decline:**
  - gift to agency
  - consumable goods
  - pay market value to donor
  - return gift





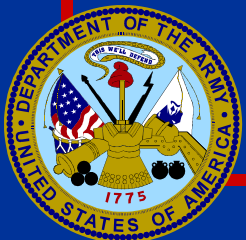
# Gifts Between Government Employees

- An employee is prohibited from:
  - giving or soliciting contributions for gifts
  - to someone in subordinate or superior chain



# Gifts Between Government Employees

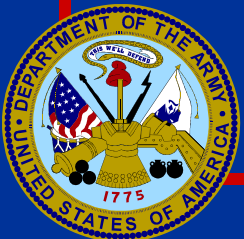
- **An employee is prohibited from:**
  - accepting gifts from
  - employees who receive less pay
    - unless no subordinate - official superior relationship AND
    - personal relationship justifies



# Exceptions

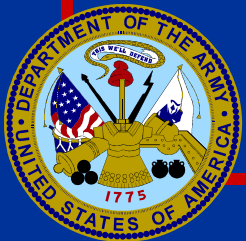


- $\leq$  \$10 per occasion
  - birthday gift
  - vacation souvenir
  - no cash
- Refreshments shared in office
- Hospitality at employee's home



# Exceptions

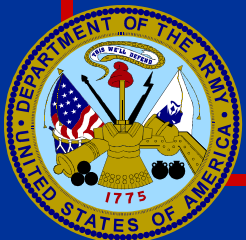
- Special infrequent occasions
  - appropriate to the occasion
  - marriage, illness, birth or adoption of child
  - retirement, resignation, transfer
  - promotion IF terminates existing subordinate - official superior relationship



# Exceptions



- **Special infrequent occasions**
  - **Value of gift**
    - Not to exceed \$300 per donating group
  - **More than 1 donating group**
    - If employee contributes to more than one group, the cost of the gifts of the different groups become one for purposes of \$300 limitation



# Exceptions

- **Voluntary contributions**
- **Nominal amount**
  - JER - may solicit no more than \$10
  - Individual may donate more
- **Occasions**
  - occasional sharing of food within office
  - gift for special, infrequent occasions



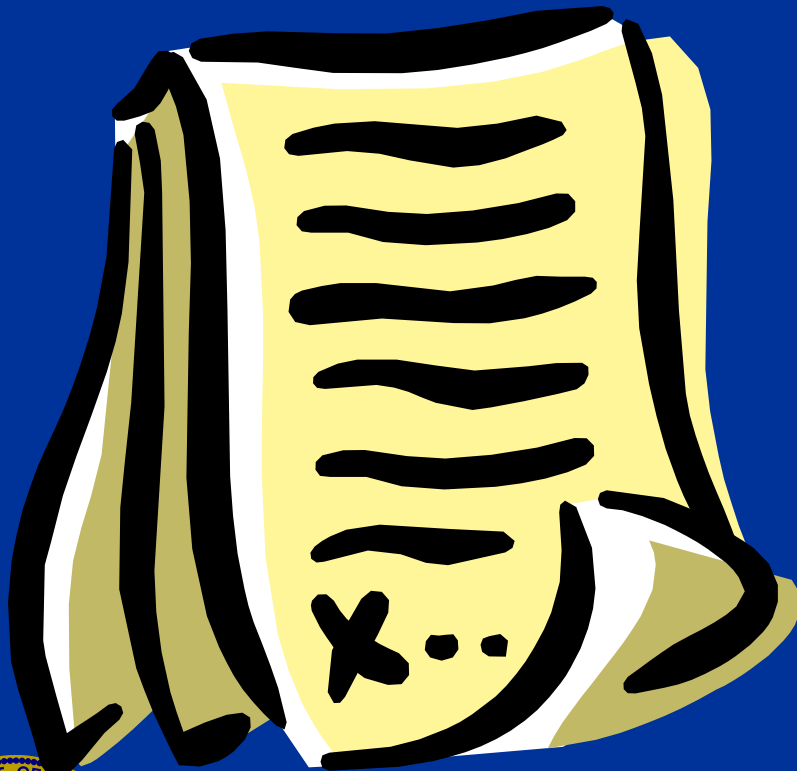
# **The Principles of Ethical Conduct**

**5. Employees shall put forth honest effort in the performance of their duties.**

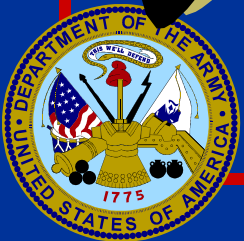
**6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.**



# Unauthorized Commitments



- **Must have authority to enter into contracts or agreements**
- **Personal liability**
- **Contracting personnel**





# **The Principles of Ethical Conduct**

**7. Employees shall not use public office for private gain.**

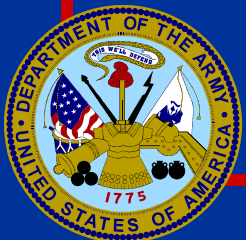
**8. Employees shall act impartially and not give preferential treatment to any private organization or individual.**

**9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.**



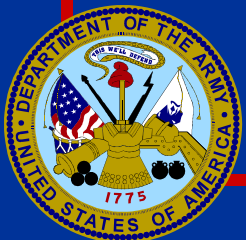
# Protect & Conserve Government Property

- **Use of government property**
  - official and authorized purposes only
- **Communications Systems**
  - computers, telephones, Email, Internet
    - may be used for authorized purposes
  - cell phones
    - Army policy - **CHANGE!** official and authorized use permitted (AR 25-1, 30 June 04)



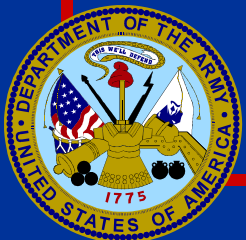
# Protect & Conserve Government Property

- Use of Subordinates
  - personnel are resources too!
  - personal errands, meals, dry cleaning, shopping
    - Improper to ask subordinates
    - Decline offers of subordinates
    - Implied offers



# Fundraising in Workplace

- First answer always NO
- Distinction among groups / Exceptions
- Must ask permission from Garrison CDR to fundraise on the installation
- If granted, in common areas and non-federal workplace



# The Principles of Ethical Conduct

**10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.**

**11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.**

**12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.**



# The Principles of Ethical Conduct

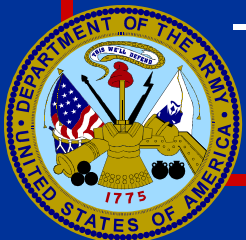
**13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.**

**14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.**



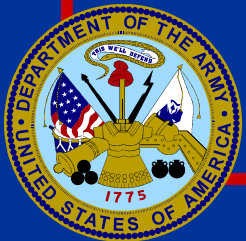
# Other Important Items

- **Written opinion from EC protects you**
  - “get out of jail free” card
- **Attorney Client Privilege does not exist for you**
  - Client is the Army
  - Not a discouragement



# Other Important Items

- **Post-Government Employment**
  - Criminal prohibitions may apply to your next life
  - Can do a review and briefing with you upon request
  - Call us!





# Why Are You Here?

**“Integrity is non-negotiable. Everyone has leadership responsibilities when it comes to the Legal, Moral, and Ethical. Discipline is doing what’s right when no one is watching. We are proud of you and our Army. Drive on!”**

**- from email sent by Acting SA Brownlee and  
GEN Schoomaker in May 04**



# Conclusion

- **14 Principles - only the start**
  - Code of Federal Regulation
  - Joint Ethics Regulation
- **Questions/Concerns**
  - Ask your Ethics Counselor
  - Ask **BEFORE** you act
- **Ethics is Everyone's Responsibility**



# Questions?

